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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/838,299	04/20/2001	David Kerr	19111.0055	1841
23517 7590 06/22/2007 BINGHAM MCCUTCHEN LLP 2020 K Street, N.W. Intellectual Property Department WASHINGTON, DC 20006			EXAMINER BLACKWELL, JAMES H	
			ART UNIT 2176	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

09/838,299

Applicant(s)

KERR ET AL.

Examiner

James H. Blackwell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-14 and 16-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-14 and 16-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/19/2007 has been entered.
2. The priority date is **01/10/2001**.
3. Claims 1-2, 4-14, and 16-19 remain pending.
4. Claims 1, 8, 14, and 17 are independent claims.
5. It is noted that prosecution of this application has been taken over by Examiner James Blackwell from Examiner Paul Nguyen.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-2, 4-14, and 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jordan (U.S. Patent No. 4,982,344 filed 05/18/1988, issued 01/01/1991) in view of Trigg ("Supporting Collaboration in Notecards," copyright 12/1986, pages 153-162).

**In regard to independent Claim 1, Jordan discloses:**

**Note:** for purposes of examination, the first and second applications windows are broadly interpreted to be different windows of the same application rather than two windows from different, independent applications.

- *A method of defining a link between first and second applications windows on a processing system, the processing system having a database and at least one remote end station coupled to the database via a communications system (Title; Abstract; Col. 1, lines 1-8; → creation of links between cards (a workspace or window each of which occupies part of the screen space and may contain text, graphics, bitmap images, etc.) or other workspaces that may be linked into a network), the method comprising operating the end station so as to:*
  - *(a) display a first applications window (Col. 17, lines 64-67; Figs. 6, 9; → an initial card (window containing a workspace within its confines) containing an AutoLink button (e.g., see Figs. 1A-B, Fig. 6) is displayed on a workstation screen);*
  - *(b) cause the processing system to enter a link defining mode and display a second applications window, the causing of the processing system to display the second applications window causing the processing system to define a link between the first and second applications windows in response to displaying the second applications window, the link defining a sequence of access from the first application window to the second application window (Col. 18, line 1 through Col. 19, line 31; Figs. 1A-B, 6,*

9;→ a user selects the AutoLink button on the initial card with the left mouse button to begin the link and card creation process (link defining mode is now engaged). The user is presented with a "Link To:" menu (Fig. 9, step 350). The menu is superimposed on the selected AutoLink button as illustrated in Fig. 10. A quick down and up click to select the AutoLink button will thus begin the creation of a new card (displaying a second applications window) and a link to is established; the link "linking" the first and second cards together. There are also other options to link the first card to another existing card).

- (c) *generate link data defining the link, the link data being stored on the database* (Col. 9, line 64 through Col. 12, line 18; Col. 18, lines 33-39; Fig. 9; → step in box 360 (Fig. 9) creates the new card's (second window) data unit, which includes setting up a hash (database) table entry for the new card as well as constructing the data unit itself (it is noted that the initial card also has these features). The data unit includes parameters and contents of the card's type, including the title and a value indicating whether the new card should be displayed. The data structure, hash also contains information on the links between cards (see Col. 10, beginning line 5).

It is noted that Jordan generally describes a "standalone" system in that the "end-unit" or client is not connected to a network external to the client (Jordan's invention is related to improvements to an existing Xerox® product called Note Cards, which was

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clearly designed as standalone (see Halasz, NPL reference U on Form 892 for review).

Thus, Jordan does not disclose a system that is networked to other clients or servers.

However, Trigg discloses (Pg. 158-159; specifically right-hand column, paragraph beginning "In order to study"; → extensions to the Note Card system that would allow users to collaborate by accessing shared spaces between their computers connected via a network).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the disclosures of Jordan and Trigg as both references concern improvements to an existing system (Xerox® Note Cards). Adding the disclosure of Trigg allows Jordan to collaborate between computers that are networked together.

**In regard to dependent Claim 2, Jordan discloses:**

- *step (b) comprises operating the end station so as to: (i) cause the processing system to enter a link defining mode; and then, (ii) display the second applications window (Col. 18, line 1 through Col. 19, line 31; Figs. 1A-B, 6, 9; → a quick down and up click to select the AutoLink button will thus begin the creation of a new card (displaying a second applications window) and a link to is established; the link "linking" the first and second cards together. There are also other options to link the first card to another existing card).*

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**In regard to dependent Claim 4, Jordan discloses:**

- *link is defined to allow the second applications window to be displayed directly from the first applications window (Col. 1, lines 19-24; → a card can be connected to another card by a link, represented within the contents of the originating card by a display object called a link icon, which may be a box with the title of the destination card. When a user selects a link's icon with a mouse button click, the destination card of that link is displayed. In addition, whether or not the card linked to by the originating card is displayed or not is determined at the time the link is established between the two cards (see Col. 18, lines 47-48).*

**In regard to dependent Claim 5, Jordan discloses:**

- *the end station is adapted to present the link within the first applications window Col. 1, lines 19-24; Figs. 1A-B; → a card can be connected to another card by a link, represented within the contents of the originating card by a display object called a link icon, which may be a box with the title of the destination card. When a user selects a link's icon with a mouse button click, the destination card of that link is displayed).*

**In regard to dependent Claim 6, Jordan discloses:**

- *the link is defined as an icon within the first applications window (Col. 6, lines 13-20; Figs. 1A-B; → icon is displayed in response to clicking the AutoLink button).*

**In regard to dependent Claim 7, Jordan fails to disclose:**

- *each user of the processing system has a respective identifier, and wherein the link data is stored in accordance with the respective user identifier such that each user can define respective links.*

However, Trigg discloses (Pgs. 156-157; → multiple users accessing Note Cards where comments on changes to Note Cards are identified by the individual users creating links from the “comment cards” to common Note Cards that the group is working on (commenting on). In addition, Trigg also discloses the use of a History card, which is defined by each user and summarizes the comment links made and generally what each user did during a commenting session. These files are identified with the user’s identification). Use of user-specific and identified comment cards making reference to common Note Cards discloses the notion of separate user identifiers).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the disclosures of Jordan and Trigg as both references concern improvements to an existing system (Xerox® Note Cards). Adding the disclosure of Trigg allows Jordan to collaborate between computers that are networked together.

**In regard to Claim 8, Claim 8 merely recites a processing system for performing the method of Claim 1. Thus, Jordan discloses every limitation of Claim 8, as indicated in the above rejection for Claim 1.**



**In regard to dependent Claim 9, Jordan discloses:**

- *the display displaying a displayed applications window (see Figs. 1A-B, 10; Note Cards are displayed on the user's display screen).*

**In regard to dependent Claim 10, Jordan discloses:**

- *the step of defining a link comprises causing the end station processor to:*
  - *(a) determine the first and second applications windows (Col. 17, lines 64-67; Figs. 6, 9; → an initial card (window containing a workspace within its confines) containing an AutoLink button (e.g., see Figs. 1A-B, Fig. 6) is displayed on a workstation screen; Col. 18, line 1 through Col. 19, line 31; Figs. 1A-B, 6, 9; → a user selects the AutoLink button on the initial card with the left mouse button to begin the link and card creation process ... a quick down and up click to select the AutoLink button will thus begin the creation of a new card (displaying a second applications window) and a link to is established; the link "linking" the first and second cards together. There are also other options to link the first card to another existing card).*
  - *(b) generate link data including an indication of the first and second applications windows; and, (c) transfer the link data to the database (Col. 9, line 64 through Col. 12, line 18; Col. 18, lines 33-39; Fig. 9; → step in box 360 (Fig. 9) creates the new card's (second window) data unit, which includes setting up a hash (database) table entry for the new card as well as constructing the data unit itself (it is noted that the initial card also has*

these features). The data unit includes parameters and contents of the card's type, including the title and a value indicating whether the new card should be displayed. The data structure, hash also contains information on the links between cards (see Col. 10, beginning line 5)).

**In regard to dependent Claim 11, Jordan fails to disclose:**

- *each user of the processing system has a respective user identifier, and wherein the link data includes the identifier such that each user can define respective links.*

However, Trigg discloses (Pgs. 156-157; → multiple users accessing Note Cards where comments on changes to Note Cards are identified by the individual users creating links from the "comment cards" to common Note Cards that the group is working on (commenting on). In addition, Trigg also discloses the use of a History card, which is defined by each user and summarizes the comment links made and generally what each user did during a commenting session. These files are identified with the user's identification). Use of user-specific and identified comment cards making reference to common Note Cards using the existing linking system of the Note Card system as previously disclosed by Jordan, teaches the notion of separate user identifiers, and those separate identifiers are tied to the links created from the comment cards to the common Note Cards).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the disclosures of Jordan and Trigg as both references concern

improvements to an existing system (Xerox® Note Cards). Adding the disclosure of Trigg allows Jordan to collaborate between computers that are networked together.

**In regard to dependent Claim 12, Jordan fails to disclose:**

- *step (c) comprises causing the end station processor to transfer the link data to the centre processor, and wherein the centre processor is adapted to store the link data in the database in accordance with the user password.*

However, Trigg discloses (Pgs. 156-157; → multiple users accessing Note Cards where comments on changes to Note Cards are identified by the individual users creating links from their defined “comment cards” to common Note Cards that the group is working on (commenting on). In addition, Trigg also discloses the use of a History card, which is defined by each user and summarizes the comment links made and generally what each user did during a commenting session. These files are identified with the user’s identification.

Specifically, Trigg discloses a Distributed Note Card system that allows users to simultaneously share access from their workstation to note files residing on any machine on the local networks.

Presumably, if Note Cards (containing link data) can be shared between networked workstations, where one user workstation is considered the “end station” while another on the network is considered as the “centre processor”, then link data between cards can be transferred as well as note files containing specific user identifiers.

Trigg also discusses Access Contention and contention resolution (Pg. 158) whereby access to information is a draft passing note file may be restricted and within the Distributed Note Card system, permissions to make modifications to a Note Card is restricted to one person at a time).

It would have been obvious to one of ordinary skill in the art at the time of invention that one such way to implement such a restriction would have been by password protection, thus avoiding situations where more than one user accesses and edits a given Note Card.

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the disclosures of Jordan and Trigg as both references concern improvements to an existing system (Xerox<sup>®</sup> Note Cards). Adding the disclosure of Trigg allows Jordan to collaborate between computers that are networked together.

**In regard to dependent Claim 13, Jordan fails to disclose:**

- *in use the end station processor is adapted to receive and transfer the user identifier to the centre processor, and the centre processor is adapted to transfer any link data stored in the database in accordance with the received user identifier, to the end station.*

However, Trigg discloses (Pgs. 156-157; → multiple users accessing Note Cards where comments on changes to Note Cards are identified by the individual users creating links from their defined “comment cards” to common Note Cards that the group is working on (commenting on)).

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Specifically, Trigg discloses a Distributed Note Card system that allows users to simultaneously share access from their workstation to note files residing on any machine on the local networks.

Note Cards (containing link data) can be shared between networked workstations, where one user workstation is considered the “end station” while another on the network is considered as the “centre processor”, and link data between cards can be transferred as well as note files containing specific user identifiers.

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the disclosures of Jordan and Trigg as both references concern improvements to an existing system (Xerox® Note Cards). Adding the disclosure of Trigg allows Jordan to collaborate between computers that are networked together.

**In regard to Claim 14**, Claim 14 merely recites a client system for performing the method of Claim 1. Thus, the combination of Jordan with Trigg discloses every limitation of Claim 14, as indicated in the above rejection for Claim 1.

**In regard to Claim 16**, Claim 16 merely recites a processing system for performing the method of Claim 11. Thus, the combination of Jordan with Trigg discloses every limitation of Claim 16, as indicated in the above rejection for Claim 11.

**In regard to Claim 17**, Claim 17 merely recites a database centre for use in a processing system for performing the method of Claim 1. Thus, the combination of Jordan with Trigg discloses every limitation of Claim 17, as indicated in the above rejection for Claim 1.

**In regard to dependent Claim 18**, Jordan discloses:

- *the database stores applications data associated with the first and second applications windows* (Col. 9, line 64 through Col. 12, line 18; Col. 18, lines 33-39; Fig. 9; → step in box 360 (Fig. 9) creates a new card (second window) data unit, which includes setting up a hash (database) table entry for the new card as well as constructing the data unit itself (it is noted that the initial card also has these features data unit, hash, etc.). The data unit includes parameters and contents of the card's type, including the title and a value indicating whether the new card should be displayed. The data structure, hash also contains information on the links between cards (see Col. 10, beginning line 5). Thus, databases associated with each of the cards stores information related to that Note Card including its relationships via links to other Note Cards).

In regard to dependent Claim 19, Jordan fails to disclose:

- *each user of the processing system has a respective identifier such that each user can define respective links, and wherein the centre processor is adapted to store link data in accordance with the user identifier of the respective user who defined the links.*

However, Trigg discloses (Pgs. 156-157; → a Distributed Note Card system that allows users to simultaneously share access from their workstation to note files residing on any machine on a local network.

Specifically, Note Cards (containing link data) can be shared between networked workstations, where one user workstation is considered the “end station” while another on the network is considered as the “centre processor”, and link data between cards can be stored either on the user’s machine, or another machine in the network.

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the disclosures of Jordan and Trigg as both references concern improvements to an existing system (Xerox® Note Cards). Adding the disclosure of Trigg allows Jordan to collaborate between computers that are networked together.

### ***Response to Arguments***

8. Applicant argues that the prior art of Cavendish fails to disclose or suggest “defining a link since the functionality of the icons are already defined”. Rather, Cavendish discloses clicking and dragging an icon as a necessary step in establishing a link for an icon within an application whose functionality has already been defined.

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Likewise, the prior art of Jordan also fails to disclose, "entering a link defining mode ... and causing the processing system to define a link between the first application and the second application."

9. These arguments are referring to limitation (b) as exemplified in independent Claim 1. Applicant characterizes the linking in Cavendish as having already been defined in the form of a "linking class" which comes preset with attributes and functionality. A desktop icon represents an instance of the linking class. The point being is that Cavendish does not provide any mechanism where one might, for example, author or alter a linking class as one might do in writing actual code. In Cavendish, the linking class is "pre-made".

10. The Examiner would agree with this explanation of Cavendish and withdraws the rejection.

11. However, the secondary prior art of Jordan does appear applicable. Jordan concerns the linking of "cards" which are described by Jordan as windows or workspaces that can be linked together.

12. Thus, a new rejection is made with respect to the previous secondary art of Jordan in combination with the new prior art of Trigg. This new combination discloses each of the limitations of the amended claims.



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***Conclusion***

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H. Blackwell whose telephone number is 571-272-4089. The examiner can normally be reached on Mon-Fri.

14. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

15. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

James H. Blackwell  
06/07/2007

  
**Doug Hutton**  
**Primary Examiner**  
**Technology Center 2100**